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August XX, 2014

Mr. Dennis J. McLerran, Regional Administrator  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101

Re: Amended RCRA Post-Closure Plan - Slag Pit Sump  
FMC facility, Pocatello, Idaho - RCRA ID #IDD070929518  
Incorporation of RCRA post-closure elements with IRODA implementation

Dear Mr. McLerran:

FMC Corporation (FMC) submits the enclosed amended RCRA Post-Closure Plan (PCP) for the slag pit sump (SPS) to the U.S. Environmental Protection Agency (EPA) pursuant to 40 CFR §265.118(d)(3). FMC is requesting timely EPA approval of the amended SPS post-closure plan so that the CERCLA remedial action is not delayed.

As a matter of background, closure of the SPS was completed on October 31, 2005 and certified by FMC on December 21, 2005. Upon completion of closure, FMC began and has continued post-closure monitoring and maintenance at the SPS pursuant to the post-closure plan contained in the SPS Closure Plan that was approved by EPA on February 3, 2005. In accordance with 40 CFR §265.118(d)(3), FMC is amending the SPS post-closure plan prior to a required change in facility design. This required change in facility design is a result of the EPA issuance of the September 2012 Interim Record of Decision Amendment for the FMC Plant OU of the Eastern Michaud Superfund Site (IRODA), which included as part of the selected remedy the integration the existing RCRA caps with the development of new CERCLA caps. The implementation of the IRODA is underway and being conducted pursuant to the Unilateral Administrative Order for Remedial Design and Remedial Action (RD/RA UAO) issued by EPA on June 10, 2013 and which became effective on June 20, 2013.

One of the remedial action components specified in the IRODA and made enforceable under the RD/RA UAO states as follows:

Place evapotranspiration (ET) caps over areas that contain non-slag fill (such as elemental phosphorus, phosphy solids, precipitator solids, kiln scrubber solids, industrial waste water sediments, calciner pond solids, calcined ore, and plant/construction landfill debris) to (1) prevent migration of contaminants to groundwater, preventing the infiltration of rainwater, and (2) prevent direct contact with contaminants by current and or future workers. ET caps will be placed over the following remediation areas (RA): RA-B, RA-C, RA-D, RA-E, RA-F1, RA-F2, RA-H, and RA-K.

The SPS is located in the former slag pit within RA-B as shown on the attached Figure 1. In order to meet the objectives of preventing the infiltration of rainwater and preventing migration of contaminants to groundwater, the former slag pit and more generally the entire area within RA-B will be filled to the grade specified in the Remedial Design Engineering Design Submittal (submitted to EPA on July 18, 2014). This grading is designed to prevent run-on and drain precipitation laterally off of the ET cap on RA-B. Inherent in this design is the placement of more than 25 feet of fill over the closed SPS. The SPS closure caps (the interim and final asphaltic concrete caps) will remain in place. Implementation of the IRODA remedy will provide additional protectiveness to the existing SPS closure system, which was constructed to meet RCRA performance standards, and will continue to meet those standards with added protectiveness after the CERCLA-required filling, grading and installation of the ET cap is completed.

As a result of this additional protectiveness, visual monitoring and maintenance of the asphaltic concrete cap as specified in the post-closure plan approved by EPA in 2005 will no longer be possible. Rather, the amended post-closure plan reflects changes to integrate the RCRA and CERCLA caps, as specified in the IRODA and required under the RD/RA UAO. The amended post-closure plan continues to require inspection and maintenance of the closure area, though necessarily deleting references to such activities being conducted at the asphaltic concrete cap. The cover over the asphaltic concrete cap will be the subject of inspection and maintenance as prescribed in the amended post-closure plan. In addition to inspection pursuant to this amended post-closure plan, the entire RA-B cap and drainage system will be subject to inspection and maintenance pursuant to a final and EPA-approved CERCLA Operation, Monitoring and Maintenance (OM&M) Plan.

The changes incorporated into this amended post-closure plan are thus quite limited. No change to groundwater monitoring program is required. EPA's RCRA staff has advised that the amendment would be considered a Class 1 prime modification if the post-closure plan were subject to the permit modification requirements at 40 CFR §270.42, recognizing that the SPS post-closure plan is an enforceable document pursuant to 40 CFR §270.1 (c)(7). The fact that this amendment would be classified as Class 1 prime permit modification is also relevant, however, under the 40 CFR §265.118(d)(3) governing post-closure plan modifications. That regulation, which applies to design changes at facilities with approved post-closure plans, references the provisions at 40 CFR §270.42 to weigh the magnitude of post-closure plan amendments, and provides for public notice only for amendments that would constitute Class 2 or Class 3 modifications. Moreover, even if the amendment were considered a Class 2 or 3 modification (which it is not), the change – necessitated by implementation of the IRODA – has already been subject to extensive public notice and comment through the CERCLA process.

The Proposed Plan that preceded the IRODA was issued by EPA for public comment in accordance with Section 117 of CERCLA, as amended, and 40 CFR §300.435(c)(2)(ii) of the NCP. The Proposed Plan, which proposed construction of an ET cap over RA-B as well as the requirement that CERCLA covers and grading be integrated with the existing RCRA caps, was made available on September 26, 2011. Public notice of the Proposed Plan was published in local news publications, announcing the commencement and length of the public comment period and the availability of the Administrative

Record file for public review. Four public meetings were held to present details related to the Proposed Plan and to solicit public comments. A public comment period was open from September 26, 2011 and then extended through December 2, 2011. The IRODA contains a Responsiveness Summary that addresses comments received on the Proposed Plan during the public comment period.

For ease of review, both a clean copy of the amended SPS post-closure plan and a copy highlighting changes affecting post-closure activities are attached. In addition to the limited changes specifying inspection and maintenance of the closure area rather than the asphaltic concrete cap and relocation of the settlement monument, administrative revisions also have been incorporated. For example, the current, correct facility name and contact information is included. (By letter dated February 15, 2002, FMC provided EPA with a notice of change in corporate name and ownership.) Administrative changes include contemporizing the document (e.g., acknowledging closure has been completed, reflecting that the facility is no longer operating, and updating section numbers) do not affect the post-closure activities and have not been highlighted.

FMC is requesting timely EPA approval of the amended SPS post-closure plan so that the CERCLA remedial action currently scheduled to begin in August is not delayed.

If you have any questions, please contact me at (215) 299-6700.

Sincerely,

Barbara E. Ritchie  
Associate Director, EHS Remediation  
FMC Corporation

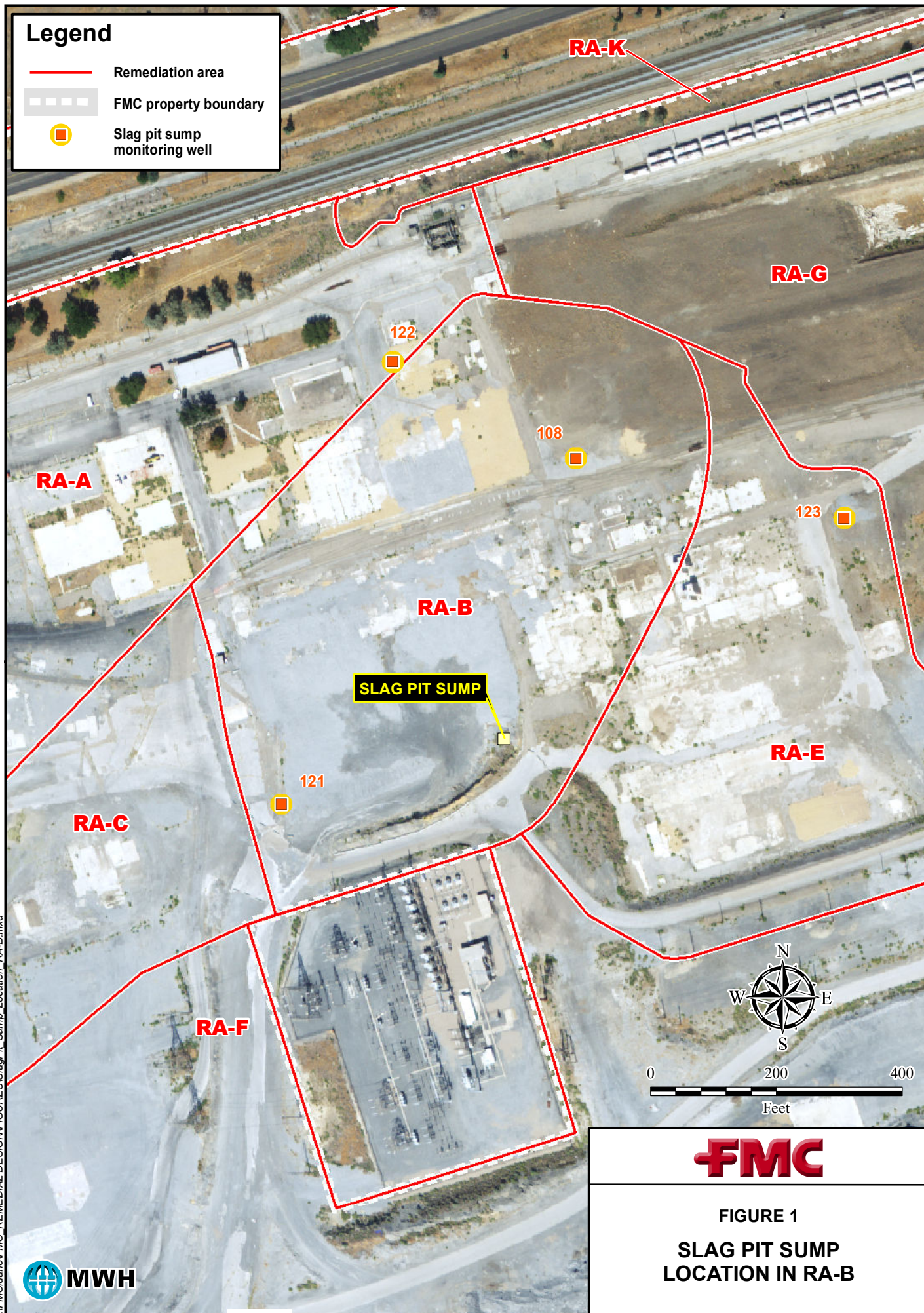
Enclosures

cc: Linda Meyer  
Jan Hastings  
Andy Boyd  
Jonathan Williams  
Beth Sheldrake



## Legend

- Remediation area
- ▤ FMC property boundary
- Slag pit sump monitoring well



**FMC**

FIGURE 1

**SLAG PIT SUMP  
LOCATION IN RA-B**

